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02  
03 UNITED STATES DISTRICT COURT  
04 WESTERN DISTRICT OF WASHINGTON  
05 AT SEATTLE

06 EMILY JOHNSON, )  
07 ) CASE NO. C10-1650TSZ  
08 Plaintiff, )  
09 )  
10 v. ) MINUTE ORDER  
11 )  
12 STATE FARM MUTUAL )  
13 AUTOMOBILE INSURANCE )  
14 COMPANY, )  
15 )  
16 Defendant. )  
17 \_\_\_\_\_ )

18 The following Minute Order is made by direction of the Court, the Honorable  
19 Thomas S. Zilly, United States District Judge:

20 (1) State Farm's Motion for Summary Judgment on Extracontractual Claims,  
21 docket no. 50, is DENIED. There are material issues of fact that preclude summary  
22 judgment on Ms. Johnson's extracontractual claims. See Smith v. Safeco Ins. Co., 150  
Wn.2d 478, 484 (2003) ("Whether an insurer acted in bad faith is a question of fact.").

(2) The Clerk is directed to send copies of this Minute Order to all counsel of  
record.

Filed and entered this 6th day of February, 2012.

WILLIAM M. McCOOL, Clerk

s/ Claudia Hawney

By: \_\_\_\_\_

Claudia Hawney  
Deputy Clerk